IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 764 OF 2006
IN
WRIT PETITION NO. 2543 OF 2006

Bharat Sanchar Nigam Limited] .. Appellant (Ori.Petitioner)

Versus

Shri Rajendrakumar R. Gawde] .. Respondent (Ori.Respondent)

Mr. A.S. Rao for the appellant.

Mr. J.S. Kini for the respondent.

CORAM: R.M. LODHA, &
S.A. BOBDE, JJ.

DATED: 06TH NOVEMBER, 2006

P.C. :

. We heard the counsel for the appellant and perused the impugned order.

2. The Industrial Tribunal found that the disciplinary enquiry conducted against the workman was not fair and proper and, accordingly, granted the present appellant an opportunity to lead evidence in support of the charges levelled against the respondent (workman). Dissatisfied thereby, the present appellant filed a Petition before the learned Single Judge. The learned Single Judge found no case for interference. We

have no justifiable reason to take a different view. The learned Single Judge has already clarified that it is open to the appellant to challenge the final Award of the Industrial Tribunal as well as the findings rendered in the Part-I Award if the appellant is so aggrieved by the final Award. No further clarification is necessary.

3. Appeal is dismissed in limine.

Sd/-
[R.M. LODHA, J.]

Sd/-
[S.A. BOBDE, J.]